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SEP 29 2005

TO : EXAMINER PAUL C. MARTIN; ART UNIT 1655
 COMPANY : UNITED STATES PATENT AND TRADEMARK OFFICE
 FAX NO. : 571-273-8300
 FROM : ALBERT WAI-KIT CHAN/ss
 APPLICATION NO. : 11/131,551
 RE : GARY K. SCHWARTZ FOR SCREENING,
QUANTITATION AND IDENTIFICATION OF ACTIVE
INGREDIENTS IN NATURAL PRODUCTS. U.S. SERIAL
NO. 10/693,301, FILED OCTOBER 24, 2003, CLAIMING
PRIORITY OF U.S. SERIAL NO. 60/421,411 FILED
OCTOBER 25, 2002 - OUR DKT. #702-A-US

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET : 13

DATE : September 29, 2005

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Applicant	: Gary K. SCHWARTZ	<u>Message</u>	File No.: 702-A-US
Client	: Memorial Sloan Kettering Cancer Center		
Date	: September 29, 2005		

COMMUNICATION IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION AND
ALTERNATIVELY, AMENDMENT IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION
for Gary K. SCHWARTZ for SCREENING, QUANTITATION and IDENTIFICATION OF ACTIVE
INGREDIENTS IN NATURAL PRODUCTS, including Exhibit A (3 pages) and Exhibit B (1 page).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 29 2005

Applicant : Gary K. SCHWARTZ Examiner: Paul C. Martin
 U.S. Serial No.: 10/693,301 Art Unit: 1655
 Filed : October 24, 2003
 For : SCREENING, QUANTITATION AND IDENTIFICATION
 OF ACTIVE INGREDIENTS IN NATURAL PRODUCTS

Law Offices of Albert Wai-Kit Chan, LLC
 World Plaza, Suite 604
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 Whitestone, NY 11357

September 29, 2005

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION
 AND ALTERNATIVELY, AMENDMENT IN RESPONSE TO THE AUGUST 29, 2005
OFFICE ACTION**

This Communication is being submitted in response to the August 29, 2005 Office Action, issued by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. A response to this Office Action is due on September 29, 2005. Accordingly, this Communication is being timely filed. Alternatively, if the Examiner is not persuaded by the Applicant's argument for withdrawal of the August 29, 2005 restriction requirement, Applicant respectfully requests that this Communication be treated as an Amendment.

Claim Amendment Fee Calculation

	Claims remaining after amendment		Highest No. Previously Paid	Present Extra	Rate (Small Entity)	Additional Fee
Total	10	Minus	22	0	X \$25.00	\$0.00
Ind.	1	Minus	11	0	X \$100.00	\$0.00